

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-03983 AHM (FFMx)	Date	September 2, 2011
Title	AMERICAN OPTOMETRIC SOCIETY, INC. v. AMERICAN BOARD OF OPTOMETRY, INC.		

Present: The Honorable	A. HOWARD MATZ, U.S. DISTRICT JUDGE		
Stephen Montes	Not Reported		
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys NOT Present for Plaintiff:		Attorneys NOT Present for Defendant:	

Proceedings: IN CHAMBERS (No Proceedings Held)

Based upon *all* the protracted proceedings and voluminous filings, the Court hereby issues the following injunction.

Defendant is hereby permanently enjoined from publishing the following statements in any form of media, including its website:

1. "Board Certified Optometrists will demonstrate their competence beyond entry level for optometric licensure."
2. "Board Certification is a voluntary process that establishes standards that demonstrate that the doctor of optometry has exceeded the requirement(s) for licensure."
3. "Only Board Certified Optometrists have demonstrated their competence beyond entry level for optometric licensure."
4. Quoting a practitioner as supposedly saying, "I want my patients and the public to see that I have achieved the highest level of certification available in eye care."
5. "Board Certified Optometrists will be able to demonstrate their competence beyond entry level for optometric licensure."
6. "Board Certification is a voluntary process that establishes standards that

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demonstrate that the doctor of optometry has exceeded the requirements for licensure.”

See Dkt. 30, Order granting in part Motion to Dismiss, at 4-5.

Defendant previously agreed to comply with such an injunction without having admitted any liability.

As to any remaining issues in this case, the parties and their respective lawyers can decide what (if anything) they wish to do to continue their feud. If by September 16, 2011, neither party files any new motion seeking some relief or remedy, the Court will close this case.

IT IS SO ORDERED.

Initials of Preparer

_____:_____
SMO